

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Proposing rule making related to antlerless-deer-only hunting licenses and providing an opportunity for public comment

The Natural Resource Commission (Commission) hereby proposes to amend Chapter 106, “Deer Hunting by Residents,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 455A.5(6)“a,” 481A.39 and 481A.48(1).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 481A.39 and 481A.48(1).

Purpose and Summary

Chapter 106, which governs deer hunting by residents in the state of Iowa, sets regulations for deer hunting and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

This rule making proposes two amendments to Chapter 106. First, the rule making adds Winneshiek County to the list of counties where a January antlerless-deer-only season is allowed. The addition of Winneshiek brings the total number of authorized January antlerless-deer-only season counties to five (Allamakee, Appanoose, Clayton, Wayne, and Winneshiek). This change, when coupled with increased antlerless-deer-only license quotas in those counties as discussed more below, will slow the spread of chronic wasting disease in this area of the state.

Second, the proposed rule making modifies the antlerless-deer-only license quotas in a total of 24 counties. Quotas are being increased in Adair, Allamakee, Appanoose, Clarke, Clayton, Davis, Delaware, Dubuque, Fayette, Howard, Jackson, Jones, Lucas, Madison, Marion, Monroe, Van Buren, Warren, Wayne, and Winneshiek Counties to reduce deer densities for disease control or to alleviate negative human-deer interactions. Quotas are being decreased in Bremer, Fremont, Mills, and Woodbury Counties to stabilize a healthy local population. Statewide, the overall proposed quota change is an increase of 3,525 licenses.

Fiscal Impact

This proposed rule making has no negative fiscal impact to the State of Iowa. Deer hunting has been relatively constant in Iowa for many years, and none of the proposed changes will substantially alter hunters’ ability to purchase tags and pursue deer. Importantly, no license fee changes are proposed in this rule making. The Commission does anticipate a possibly minor increase in license sales from this proposed rule making due to the availability of 3,525 additional tags statewide. However, many of these tags will be free or low-cost (\$10) tags. Any revenue resulting from this proposed rule making shall be deposited into the State Fish and Game Protection Fund. A copy of the fiscal impact statement is available from the Department of Natural Resources (Department) upon request.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found. A copy of the jobs impact statement is available from the Department upon request.

Waivers

This rule is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on May 28, 2019. Comments should be directed to:

Tyler Harms, Wildlife Biometrician
Iowa Department of Natural Resources
Wallace State Office Building
502 East Ninth Street
Des Moines, Iowa 50319
Email: tyler.harms@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows. Upon arrival, attendees should proceed to the fourth floor to check in at the Department reception desk and be directed to the appropriate hearing location.

May 28, 2019
12 noon to 1 p.m.

Conference Room 4E
Wallace State Office Building
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing will be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend subrule 106.6(4) as follows:

106.6(4) *January antlerless-deer-only licenses.* Licenses for the January antlerless-deer-only season shall be available in the following counties: Allamakee, Appanoose, Clayton, ~~and~~ Wayne, and Winneshiek. Prior to December 15, a hunter may purchase up to three January antlerless-deer-only licenses. Beginning December 15, an unlimited number of paid antlerless-deer-only licenses may be purchased for the January antlerless-deer-only season until the antlerless-deer-only quota as described in 106.6(6) is met in the aforementioned counties. These licenses may be obtained regardless of any other paid any-sex or paid antlerless-deer-only licenses that may have been obtained.

ITEM 2. Amend subrule 106.6(6) as follows:

106.6(6) *Antlerless-deer-only licenses.* Paid antlerless-deer-only licenses will be available by county as follows:

County	Quota	County	Quota	County	Quota
Adair	1025 <u>1200</u>	Floyd	0	Monona	850
Adams	1450	Franklin	0	Monroe	1950 <u>2250</u>
Allamakee	3700 <u>3800</u>	Fremont	400 <u>300</u>	Montgomery	750
Appanoose	2400 <u>2700</u>	Greene	0	Muscatine	775
Audubon	0	Grundy	0	O'Brien	0
Benton	325	Guthrie	1950	Osceola	0
Black Hawk	0	Hamilton	0	Page	750
Boone	300	Hancock	0	Palo Alto	0
Bremer	500 <u>400</u>	Hardin	0	Plymouth	0
Buchanan	300	Harrison	850	Pocahontas	0
Buena Vista	0	Henry	925	Polk	1350
Butler	150	Howard	350 <u>450</u>	Pottawattamie	850
Calhoun	0	Humboldt	0	Poweshiek	300
Carroll	0	Ida	0	Ringgold	1600
Cass	400	Iowa	450	Sac	0
Cedar	775	Jackson	825 <u>975</u>	Scott	200
Cerro Gordo	0	Jasper	775	Shelby	0
Cherokee	0	Jefferson	1650	Sioux	0
Chickasaw	375	Johnson	850	Story	150
Clarke	2100 <u>2400</u>	Jones	800 <u>950</u>	Tama	200
Clay	0	Keokuk	450	Taylor	1600
Clayton	3600 <u>3800</u>	Kossuth	0	Union	1500
Clinton	400	Lee	1275	Van Buren	2000 <u>2100</u>
Crawford	0	Linn	850	Wapello	1825
Dallas	1875	Louisa	675	Warren	2200 <u>2700</u>
Davis	1600 <u>1700</u>	Lucas	2200 <u>2500</u>	Washington	750
Decatur	2200	Lyon	0	Wayne	2400 <u>2700</u>
Delaware	800 <u>950</u>	Madison	2600 <u>3000</u>	Webster	0
Des Moines	800	Mahaska	475	Winnebago	0
Dickinson	0	Marion	1650 <u>1850</u>	Winneshiek	2375 <u>2500</u>
Dubuque	825 <u>975</u>	Marshall	150	Woodbury	625 <u>400</u>
Emmet	0	Mills	750 <u>500</u>	Worth	0
Fayette	1900 <u>2000</u>	Mitchell	0	Wright	0